

## TITLE IV-E: STEP BY STEP PROGRAM OVERVIEW

### A. SCREENING - PRIMARY ELIGIBILITY CRITERIA

All children being considered for placement should be screened for Title IV-E eligibility. If it is determined that the child meets all eligibility criteria, including placement in a Title IV-E approved setting, a Foster Care Assistance Application must be completed and submitted within 30 days. The primary eligibility criteria are:

#### 1. Court Orders

Orders removing the child from the home must include the following judicial findings:

- Best interest of the child to be removed from the home (initial order)
- Reasonable efforts made to prevent removal (within 60 days of initial order)
  - *Both “best interest” and “reasonable efforts” findings must include child specific information (i.e. exhibits A and B).*
- The department’s responsibility for care and placement of the child

If a child went from home to detention to placement, the detention order is the initial order of removal.

If the child went from home to disposition to placement, the disposition order will be the initial order of removal. Disposition orders may include modification, agreed modification, and other orders that would place a child in a residential facility.

Placing the child in the home from which they were removed following the initial removal (i.e. while awaiting availability of placement) will result in ineligibility for Title IV-E. Refer to the *Compliance Resource Manual* (CRM) for complete information regarding court orders.

The Texas Family Code (TFC) Section 54.04(i)(1)(A)(B) (i) states *“If the court places the child on probation outside the child's home or commits the child to the Texas Youth Commission, the court:*

*(1) shall include in its order its determination that:*

*(A) it is in the child's best interests to be placed outside the child's home;*

*(B) reasonable efforts were made to prevent or eliminate the need for the child's removal from the home and to make it possible for the child to return to the child's home...”*

These judicial findings should be included in all court orders (regardless of Title IV-E status) removing a child from his/her home and placing them on probation outside their home.

#### 2. IV-E Approved Facilities

The child must be placed in a IV-E approved facility as determined by the *Title IV-E Approved Facilities List* located in the *Search* section of the TJJD website. This list is provided by the Texas Department of Family and Protective Services (TDFPS) and is updated monthly.

#### 3. Aid to Families with Dependent Children (AFDC) Eligibility

The child must have been eligible for AFDC at the time of removal from the home. In general, AFDC eligibility requires that the child be living with a single parent (or two parents if one is disabled or qualifies as an “underemployed” parent) whose income meets AFDC guidelines, or with another relative as defined by program guidelines.

**B. FOSTER CARE ASSISTANCE APPLICATION**

Within the first 30 days of an eligible child's placement in a Title IV-E approved facility the department must complete and submit to TJJD the *Foster Care Assistance Application* packet which includes:

- ★ *Foster Care Assistance Application* submitted via the TPS database; and
- ★ The following attachments which must be submitted within two business days of submitting the application:
  - Verification of date of birth (birth certificate or other acceptable documentation)
  - Social Security number or copy of application
  - Copies of court orders (initial removal order and disposition order)
  - Required documents if child is placed out of state (refer to the CRM)
  - *AFDC Income Determination Worksheet* (TJPC-FED-03-08)

**C. CHILD/FAMILY CASE PLAN**

Within 30 days of placement, the Child/Family Case Plan must be completed. The case plan provides an outline of services to be provided to the child and family while the child is in placement and states the permanency plan for the child. This plan is reviewed and updated every 6 months from the date of placement.

**D. MONTHLY CONTACT**

Monthly contact with the child, parent, and caregiver is required while the child is in placement. The purpose of these contacts include ensuring the health, safety and well-being of the child while in placement, evaluating progress on goals identified in the *Child/Family Case Plan*, and addressing new needs that may arise. All contact must be documented and should clearly reflect with whom contact was made.

**E. MONTHLY CASEWORKER VISITS**

*The Child and Family Services Improvement Act of 2006* requires monthly (face-to-face) caseworker visits with all children placed in foster care under the responsibility of the state. This impacts juvenile probation by requiring these monthly visits (effective September 2008) for all Title IV-E certified children since these youth are reported in the Texas Department of Family and Protective Services (TDFPS) data system. These visits must be face-to-face (in person) and be conducted by a person who either has responsibility for the case OR visitation of the child. These visits shall be documented in an approved format and reported to TJJD as requested.

**F. REIMBURSEMENT REQUESTS FOR FOSTER CARE**

Requests for reimbursement of foster care/placement costs (*also called "maintenance"*) are due to TJJD by the 10th of the month following service delivery.

**G. SIX MONTH CASE REVIEWS**

Within six months from the date of placement and every six months thereafter, the child's case must be reviewed through either an administrative or a judicial proceeding. The purpose of the review is to assess the safety and well-being of the child, the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, the extent of progress on issues that led to the child's removal from the home, and the projection of a likely date for permanency.

Forms to be completed in conjunction with the six month review are:

- *Child/Family Case Plan Review*
- If the six month review is a judicial proceeding a copy of the *Permanency Hearing Order* must be submitted to TJJD
- A *Periodic Case Review Monthly Summary* must be completed and submitted to TJJD by the 10th of each month to report administrative reviews conducted during the previous month.

#### **H. PERMANENCY HEARING**

A permanency hearing must be held within 12 months of the child's initial date of placement and every 12 months thereafter to make determinations including whether the permanency plan for the child is appropriate and whether reasonable efforts to finalize the permanency plan have been made.

Forms to be completed in conjunction with the permanency hearing are:

- *Child/Family Case Plan Review*
- *Foster Care Assistance Review* (must be submitted to TJJD)
- *Permanency Hearing Order* (must be submitted to TJJD)

#### **I. CHANGES IN CHILD'S STATUS OR LOCATION**

The *Placement Information/Discharge* (PID) form must be submitted to TJJD within five days of any change in the child's placement (including moves to detention or other secure facilities), level of care, or change in eligibility status (change to inactive, or discharge from the Title IV-E program).